5-YEAR STRATEGY
up dating June 14 1982

NONPOINT SOURCE MANAGEMENT ACTIVITIES

Long-Range Objectives: Nonpoint sources of pollution have been recognized as major contributors of water pollution. However, by the very nature of their sources, they are difficult to identify and control. In attempting to establish a cost effective ~~regulatory~~ program for nonpoint as well as point, the objectives will be to plan and implement the control of sediment and sediment-related nonpoint sources of pollution. Sediment control is the objective because it is considered the primary nonpoint pollutant, is more readily identified, and carries various amounts of other pollutants during its transport. Priority programs for this program element address certain existing or identified program activities. Other nonpoint source activities are considered in the discussion of Secondary Priority Programs. The long-range objectives of this program element are: 1) implement the nonpoint source control strategy for agricultural crop and pasture lands identified in the Interim Output for Section 208 Agricultural Nonpoint Source Planning; 2) implement nonpoint source control strategies for agricultural crop and pasture lands; 3) implement regulatory control programs for active coal mining operations, and develop and implement abandoned coal mine reclamation programs; 4) implement existing regulatory programs for active non-coal mines; 5) develop and implement a comprehensive state program to control the disposal of wastewater sludges, solid wastes, and hazardous wastes; and 6) maintain current state involvement in U.S. Army Corps dredge and fill programs relating to construction activities.

Five-Year Objectives: In attaining the long-range objectives of this program element, the following 5-year activities are outlined for agricultural crop and pasture lands, coal mining, other mining, waste disposal, and construction activities.

Agricultural and Pasture Lands

~~Rural Clean Water Program (RCWP):~~
Nonpoint Source Pollution Control Programs:

- Analyze high priority watersheds and determine each watershed's suitability as a project under ~~the Rural Clean Water Program~~ Iowa's publicly-owned lakes program, EPA's Clean Lakes Program, or other implementation programs. Watershed analysis will consider factors such as control needs and costs, landowner willingness, and potential for improving water quality.

- As ~~RCWP and other~~ implementation program funds become available, prepare and submit watershed project applications. Once projects are funded, proceed with implementation.

- NEW SECTION - Encourage agencies to give special consideration to the funding of best management practices for soil erosion control in watersheds having locally or regionally important lakes or stream reaches which are impacted by agricultural nonpoint source pollution.

Cost-Share: June 14 1982 mtg listing

- Support efforts at the state and federal level to increase the amount of cost-share funds available for installation of soil conservation and nonpoint source pollution control practices. Provide state and federal officials with information on the magnitude of Iowa's soil erosion and nonpoint pollution problems, cost-share funding needs, and technical assistance needs.

- ~~Conduct, through contract with Iowa State University, studies of the economic impacts of best management practices. Upon completion, utilize study results to revise BMP cost-share rates as appropriate.~~

- ~~Provide for the legal recording of cost-share agreements (including the expected useful life of the cost-share practices) to assure that the funding agency can demand reimbursement for practicies that are not adequately maintained. Evaluate alternate means for requiring repayment of cost-share funds in instances where a practice's useful life is reduced because of inadequate maintenance or practice destruction. Select the most desirable repayment alternative and initiate the actions necessary to implement repayment provisions. Actions may include drafting legislative proposals, developing and adopting regulations, or revising existing state cost-share policies and procedures.~~

- Support expansion of the long-term agreement provision of federal (Agricultural Conservation Program) cost-share programs.

- Determine the feasibility of including long-term agreements (LTA) in the state cost-share programs. If feasible, draft necessary legislative proposals, prepare budget requests, and complete other action necessary to include LTA provisions in the state program.

- Support limiting the use of state and federal cost-share funds to installation of soil conservation and best management practices. Production oriented practices should not be cost-shared.

- ~~Support modifying~~ <u>Investigate the need for and feasibility of modifying</u> state and federal laws to allow cost-share funds to be made available for up to 75 percent of the installation cost of soil conservation and best management practices, with the actual rate of cost-sharing being set at the county level, with guidance in setting cost-share levels provided at the state level. Conditions to be evaluated which may justify providing more than 50 percent cost-share are:

  a) soils, topography, or other factors cause practice installation costs to increase significantly above the average costs for that practice;

  b) landowner acceptance of a needed practice has been minimal and increased cost-share rates may increase practice acceptance; or

  c) the public will be the primary beneficiary of practice installation.

- Support the principle that a landowner must pay a portion of the costs of installing soil conservation or best management practices and that the landowner is responsible for normal practice maintenance.

- Evaluate whether the differential now specified in state law for cost-sharing practices installed on a voluntary versus mandatory basis (currently 50 percent cost-sharing for voluntary versus 75 percent for mandatory), should be maintained. If determined appropriate, seek changes in state law to remove this cost-share differential.

- Encourage greater cooperation and coordination between agencies involved in administering state and federal cost-share programs, to assure that available funds are being used to achieve the maximum possible degree of control of soil erosion and nonpoint source pollution.

- NEW SECTION - Incorporate the results of Iowa State University studies of the economic impacts of best management practices into the process of developing farm unit soil conservation plans.

added

- NEW SECTION - Utilize the results of the Iowa State University study of best management practices to propose revision of BMP cost-share rates.

- NEW SECTION - Provide for establishing cost-share agreements in accordance with the Code (including the expected useful life of the cost-share practices) to assure that the state can require a landowner to maintain, repair or reconstruct practices.

~~Payments for Construction Set-Aside Acres:~~

- ~~Evaluate the extent to which construction of soil conservation and best management practices during summer months could be accelerated by paying a landowner to not crop for one year those acres involved in practice construction. If evaluation determines that such payment would substantially increase practice construction, draft legislation enabling the Department of Soil Conservation to pay for construction set-aside acres. Upon passage of legislation, revise state cost-share policies and procedures to incorporate the construction set-aside payments.~~

Agricultural Program Cross-Compliance:

- Evaluate the impacts associated with requiring a landowner to be following a soil conservation and water quality management plan in order to participate in various federal agricultural programs. Impacts which will be evaluated include degree of soil erosion control and water quality improvement achievable through cross-compliance; probable degree of landowner acceptance and participation; the economic and social impacts on individual landowners and operators, rural communities and the general public; and program administration and compliance monitoring requirements and costs. NEW SECTION - An example would be federal legislation requiring cross-compliance for Farm Home Administration loans. Any programs initiated by other states would be included in the evaluation. In addition, the various federal agricultural programs will be reviewed and those programs suitable for inclusion in a cross-compliance program identified.

- Upon completion of the evaluation, a report detailing evaluation results will be prepared and submitted to ~~the-public-participation advisory-committees.--Advisory-committee-recommendations-regarding inclusion-of-cross-compliance-requirements-in-Iowa's-nonpoint-source control-strategy-will-be-submitted-to-the-State-Soil-Conservation Committee-and-the-Iowa-Water-Quality-Commission.~~ the State Soil Conservation Committee and the Iowa Environmental Quality Commission. If it is considered appropriate to include cross-compliance requirements in Iowa's nonpoint source control strategy, the state water quality management plan will be revised to reflect this, and Iowa's congressional delegation and appropriate federal officials will be urged to adopt and support cross-compliance programs.

NEW SECTION - Summer Construction Incentives:

- Review and evaluate the summer construction incentives portion of the Iowa Financial Incentive Program for soil erosion control. If evaluation determines that modification to the program would substantially increase practice construction, recommended changes in existing legislation and related departmental rules will be proposed.

Public Information and Education:

- Investigate the efforts with federal, state, and local agencies involved in public information and education activities (e.g., Soil Conservation Service, Soil Conservation Districts, ADD - Department of Soil Conservation, Iowa State University Extension Service, Department of Public Instruction, area community colleges, Iowa Department of Agriculture) to assure that adequate information is disseminated to the public on Iowa's nonpoint source pollution problems, the nonpoint control programs being implemented in the state, and the best management practices that can be used to control nonpoint pollution. In providing information on best management practices, emphasis will be given to new and existing practices for which new research information becomes available (e.g., conservation tillage, integrated pest management). The results of the Iowa State University studies of the economic impacts of best management practices will be utilized in existing public information and education programs. In addition, use of field days and practice demonstration plots will be encouraged.

NEW SECTION - Low Interest Loans for Soil Conservation:

- Legislation by the 69th General Assembly established a soil conservation loan program to be administered by the Iowa Family farm development authority. The program provides for loans to owners or operators to finance the implementation of permanent soil and water conservation practices and the acquisition of conservation farm equipment for agricultural land in the state. Guidelines, rules, and regulations for administering the program will be developed. The effectiveness of the program will be monitored and evaluated.

Local Funding Districts:

- ~~Included-in-the-Iowa-Cedar-Conservancy-District-Plan-is-a-proposal to-allow-local-landowners-to-form-a-subwatershed-funding-district.~~

~~The provisions for use and taxation are proposed to be similar to those now in existance for subdistricts, as provided for under Section 467A.13-467A.22, except that funds could be used for implementation of best management practices and other water management activities. A bill authorizing establishment of subwatershed funding districts has been introduced in the 68th General Assembly (Senate File 501). Passage of this legislation is recommended.~~

- ~~Legislation introduced to the 68th General Assembly (Senate File 254) would allow the State Soil Conservation Committee to establish a loan resource fund. Loans from this fund could be made at no more than seven percent interest for up to ten years, and would be limited for use in establishing permanent soil and water conervation practices for which no public cost sharing is available. Enactment of legislation at the state and federal levels is recommended to provide low interest, long term loans for the landowner's share of the cost of permanent soil conservation and best management practices. The legislation should include requiring that practices for which loans are made be maintained for their accepted life.~~

- ~~Evaluate the legal and economic aspects of allowing counties, cities or other local entities to issue revenue bonds (such as industrial revenue bonds) for the purpose of providing funds for making low interest loans available to landowners for their share of the cost of permanent soil conservation and best management practices. Based on the results of the evaluation, recommend any changes in state law which are needed to legalize such use of bonding authority, or which increase the economic feasibility of providing loan funds in this manner.~~

- NEW SECTION - Develop an information program including brochure and other material to explain the provisions of the subdistricts law, which authorizes the establishment of subdistricts if 65% of the landowners sign a petition to form with funds levied by the subdistrict limited to organizational costs, purchase of land rights and maintenance expenses.

- NEW SECTION - Determine the feasibility of proposing legislative changes which would authorize the use of subdistrict funds to pay for the construction expenses of works of improvement and/or implementation of best management practices.

Tax Incentives:

- ~~Several bills have been introduced in the Iowa Legislature providing tax incentives for the construction and maintenance of permanent soil conservation practices. Senate File 67 (68th General Assembly) would provide property tax reductions for land maintained for wind erosion control or wildlife habitat. House File 191 (68th General Assembly) would provide for a property tax exemption of 25 percent of the assessed value of agricultural property on which soil and water conservation practices are established and maintained. Senate File 37 (and companion bill House File 254) (68th General Assembly) would provide an income tax credit for permanent soil and water conservation practices equivalent to 20 percent of the practice costs, with a maximum $5,000 credit and with the credit spread equally over a five year period.~~

- ~~Enactment of tax legislation is recommended at the federal and state levels to provide increased financial incentives for utilization of soil conservation and best management practices.~~

- ~~As specified tax incentive proposals are developed, these will be provided to the public participation advisory committees for review. If review determines that specific legislative proposals should be supported, the State Soil Conservation Committee and Iowa Water Quality Commission will be requested to endorse the proposal. Appropriate state and/or federal elected officials and agencies will also be urged to support the proposals.~~

- NEW SECTION - Several bills have been introduced in the Iowa Legislature providing tax incentives for the construction and maintenance of permanent soil conservation practices. Tax incentive categories included in the proposed bills included property tax reduction or exemption, and income tax credits. Enactment of tax legislation is recommended at the state and federal levels to provide increased financial incentives for utilization of soil conservation and best management practices.

Coal Mining

- ~~Complete development of and implement~~ Continue to implement a comprehensive state control program meeting the requirements of the Surface Mining Act of 1977, with DSC being responsible for administering this program.

- Develop a state abandoned mine reclamation program, as provided for under the Surface Mining Act of 1977. As funds are made available, utilize this program (administered by DSC) ~~and the Rural Abandoned Mines Program (administered by the U.S. Soil Conservation Service)~~ to reclaim abandoned coal mine areas.

Other Mining (excluding coal)

- Continue to require compliance with existing DSC regulations for active mines.

- NEW SECTION - Review existing regulations and develop recommendations for new or revised requirements.

Waste Disposal

- Implement fully the existing state regulations dealing with municipal sludge disposal and sanitary landfills.

- Develop programs to control disposal of presently unregulated wastes (industrial sludges, toxics, hazardous wastes) in accordance with requirements of the Resource Conservation and Recovery Act (RCRA). As program development is completed for a waste category, implement the program.

Construction Activities

- Continue existing state functions in issuing permits for federal dredge and fill activities on navigable waters (404(t)) and review and comment on other dredge and fill activities (401).

- NEW SECTION - Continue to assist the soil conservation districts in administering section 467A.64, the Code, which requires soil erosion control plans for certain permitted projects that have associated land disturbing activities.

Estimated Staff Resources**

	DEQ Staff Years	DEQ $	DSC Staff Years	DSC $	Contract*** $	Total* $
FY82	1.3	36,400	3.7	103,600	65,000	205,000
FY83	1.0	30,800	2.0	61,600	---	92,400
FY84	1.0	33,880	2.0	67,760	---	101,640
FY85	1.0	37,268	2.0	74,536	---	111,804
FY86	1.0	40,995	2.0	81,990	---	122,985

Replace above Estimated Staff Resources with the following:

	DEQ Staff Years	DEQ $	DSC Staff Years	DSC $	Contract*** $	Total* $
FY82	1.3	36,400	3.7	103,600	65,000	205,000
FY83	0.9	27,720	1.0	30,800	43,000	101,520
FY84	0.8	27,104	1.0	33,880	---	60,984
FY85	0.8	29,814	1.0	37,268	---	67,082
FY86	0.8	32,796	1.0	40,995	---	73,791

*Does not include indirect administrative costs.

**These resources apply only to nonpoint pollution planning activities and do not include implementation funds. Also, the resources necessary to conduct the Surface Mining Act, sludge disposal and landfill regulations, Rural Abandoned Mines Program, and the Resource Conservation and Recovery Act are not included, as they are funded under other programs.

***Costs identified are for DSC Subcontracts.